

1 HONORABLE RONALD B. LEIGHTON
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 SYLVESTER JAMES MAHONE,

11 Plaintiff/Appellant,

CASE NO. C10-5847RBL

12 ORDER

13 v.

14 PIERCE COUNTY, et al,

15 Defendant/Appellees.

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17 THIS MATTER comes on before the above-entitled court upon referral from the United
18 States Court of Appeals for the Ninth Circuit for the limited purpose of determining whether
19 plaintiff's appeal is taken in good faith. Having considered the entirety of the records and file
20 herein, the Court finds and rules as follows:

21 For the reasons stated in the Magistrate Judge's two Reports and Recommendations [Dkt.
22 #s 39, 40], the Court hereby certifies that this appeal is not taken in good faith. The underlying
23 lawsuit was, and this appeal is, frivolous. See Fed. R. App. P. 24(a)(3)(A).

24 **IT IS SO ORDERED.**

1 The Clerk shall send uncertified copies of this order to all counsel of record, to any party
2 appearing pro se, and to the United States Court of Appeals for the Ninth Circuit.

Dated this 26th day of August, 2011.

Ronald B. Leighton

RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE